

Serial No. 09/864,037

Art Unit: 2836

REMARKS

In response to the Office Action dated January 10, 2003, Applicants respectfully request reconsideration.

The Examiner objected to the figures for not showing the processor in each battery pack, although the Examiner noted that support is provided in the specification at page 5. Applicants have amended FIG. 8 to show the monitor 8a in the battery pack housing 41. Applicants believe the figures comply with 37 CFR 1.83(a).

The Examiner objected to the abstract and requested that it be updated to reflect the currently-pending claims. Applicants have amended the abstract as requested and respectfully assert that the abstract complies with MPEP 608.01(b).

The Examiner objected to the disclosure for not citing the continuity information of the application. Applicants have amended the specification to cite the continuity information as requested.

Various claims stand rejected for double patenting. Under the judicially-created doctrine of obviousness-type double patenting, claims 68-72 stand rejected over claims 1-47 of U.S. Patent No. 6,274,950 (Gottlieb), claims 65-67 stand rejected over claims 1-47 of Gottlieb in view of U.S. Patent No. 5,349,282 (McClure), and claims 50-64 stand rejected over claims 1-47 of Gottlieb, McClure, and U.S. Patent No. 4,673,826 (Masson). Applicants are filing a Terminal Disclaimer concurrently with this Response. The double-patenting rejections are therefore moot. **NEED TERMINAL DISCLAIMER.**

Claims 50 and 54-60 stand rejected under 35 USC 103(a) over U.S. Patent No. 5,315,533 (Stich), U.S. Patent No. 5,281,955 (Reich), U.S. Patent No. 5,047,961 (Simonsen), Masson, McClure, and U.S. Patent No. 5,227,262 (Ozer). Applicants respectfully assert that the claims as filed are not obvious in view of Stich, Reich, Simonsen, Masson, McClure, and/or Ozer alone or in combination.

Independent claim 50, upon which claims 54-60 directly or indirectly depend, recites a novel UPS system. Claim 50 recites a plurality of battery housings containing a plurality of batteries coupled in parallel. Each of a plurality of battery-monitor processors is disposed in a batter housing and coupled to a battery. A UPS-processor

Serial No. 09/864,037

Art Unit: 2836

housing is displaced from the battery housings and contains a UPS processor that is configured and coupled to receive monitor data from the battery-monitor processors.

Stich, Reich, Simonsen, Masson, McClure, and Ozer alone or in combination fail to teach, disclose, or suggest at least the recited plurality of battery-monitor processors, battery housings, UPS-processor housing, and UPS processor. The Examiner cites Stich for the concept of a single battery 47 with a battery monitor 61 that passes information to a UPS controller 66. Stich does not teach or suggest that the battery monitor 61 is or contains a processor or that it is contained in a housing that is displaced from a housing of the controller 66. The Examiner cites Simonsen for parallel strings of batteries with plural monitors (FIG. 12), one for each parallel branch of batteries. Simonsen shows, in FIG. 12, batteries separate from instruments 181. Simonsen does not teach or suggest the recited battery housings each containing a battery and a battery-monitor processor. Further, there is no teaching or suggesting of a UPS processor coupled to the instruments 181 and disposed in a UPS-processor housing displaced from battery housings. The Examiner cites Masson for suggesting a physical housing for a UPS processor 24. Assuming that Masson does suggest such a housing, Masson suggests a housing for a processor selectively linked to a plurality of batteries, but does not suggest battery housings containing battery-monitor processors displaced from a UPS-processor housing. Even combining the references fails to teach or suggest battery housings that contain battery-monitor processors and that are displaced from a UPS-processor housing containing a UPS processor coupled to receive data from the battery-monitor processors.

Claims 73-76 have been added. These claims introduce no new matter and are believed to be patentable over the art of record.

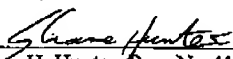
Based on the foregoing, this application is believed to be in allowable condition, and a notice to that effect is respectfully requested. To answer any questions, or

Serial No. 09/864,037

Art Unit: 2836

otherwise further the prosecution of this application, the Examiner may contact the undersigned attorney at the number provided below.

Respectfully submitted,


Shane H. Hunter, Reg. No. 41,858
Attorney for Applicants
Telephone: (617) 542-6000

Date: July 1, 2003

Correspondence should be addressed to customer number 30623.



30623

PATENT TRADEMARK OFFICE